

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

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In Re:

**CARMELO F. TORTORICI and
MARY A. SAINT-PIERRE,**

Debtors.

Case No.: 17-10046-KCF

Chapter: 13

Hearing Date:

Judge: Kathryn C. Ferguson

**OBJECTION TO DEBTORS' APPLICATION
TO EXTEND LOSS MITIGATION**

Secured Creditor, CIT Bank, N.A. f/k/a OneWest Bank, N.A. f/k/a OneWest Bank, FSB (hereinafter "Secured Creditor") objects to Debtors' Application for Extension of Loss Mitigation (Docket No 40) as follows:

1. Debtors Carmelo F. Tortorici and Mary A. Saint-Pierre (collectively "Debtors") file the instant Chapter 13 Petition on January 3, 2017.
2. Secured Creditor holds a security interest in the Debtors' real property located at 21 Cottonwood Drive, Jackson, NJ (the "Property") by virtue of a Mortgage in the principal amount of \$484,481.00 dated October 20, 2008 and recorded December 24, 2008 in Book 14176, Page 1309 in the Office of the Clerk/Register of Deeds for Ocean County, NJ.
3. Debtors filed their request to participate in the Court's loss mitigation program on February 23, 2017 (Docket #17). An order granting this request was entered on April 27, 2017 (Docket #25).
4. Debtors filed a request to extend loss mitigation on July 21, 2017 (Docket #31), which application was granted July 26, 2017 (Docket #32) which extended loss mitigation to October 27, 2017.
5. Debtors filed another request to extend loss mitigation on October 24, 2017 (Docket #40).

6. Secured Creditor objects to any further extension of loss mitigation on the basis that the Debtors have failed to actively participate in the loss mitigation process.

7. To date Debtors have failed to submit requested documents into the portal or communicate any status regarding the same since June 5, 2017.

WHEREFORE, Secured Creditor respectfully requests this Court sustain the objections stated herein and deny Debtors' application for extension of loss mitigation, and for such other and further relief as the Court may deem just and proper.

Dated: October 27, 2017

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